

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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U.S. DISTRICT COURT, E.D.N.Y.

★ JUL 26 2005 ★

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~~04 CV 2863 (NGC)~~

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BRICKLAYERS INSURANCE AND WELFARE
FUND, BRICKLAYERS PENSION FUND,
BRICKLAYERS SUPPLEMENTAL ANNUITY
FUND, BRICKLAYERS AND TROWEL
TRADES INTERNATIONAL PENSION FUND,
NEW YORK CITY AND LONG ISLAND JOINT
APPRENTICESHIP AND TRAINING FUND,
INTERNATIONAL MASONRY INSTITUTE,
and SANTO LANZAFAME, in his
fiduciary capacity as Administrator,
BRICKLAYERS LOCAL 1, INTERNATIONAL
UNION OF BRICKLAYERS AND ALLIED
CRAFT WORKERS, and BRICKLAYERS
LABOR MANAGEMENT RELATIONS COMMITTEE,

JUDGMENT BY DEFAULT

Plaintiffs,

- against -

C&L UNIVERSAL, INC.
AND ROBERT E. CAPOLINO,

Defendants.

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This action having been commenced by the filing of a
Summons and Complaint on July 9, 2004; the Summons and Complaint
having been served upon defendant C&L Universal, Inc. ("C&L") on
July 9, 2004 by mailing of the Summons and Complaint to the
defendant by first class mail of the US Postal Service by Roland
Richter, a paralegal at the offices of the plaintiffs'
attorneys, at their corporate address, and proof of service of
the Summons and Complaint, having been filed on July 20, 2004;
and defendant C&L also being served the Summons and Complaint on
July 26, 2004 by leaving two true copies with Amy Lesch, a
person authorized to accept service for the Secretary of State

of New York, and proof of service of the Summons and Complaint by Steven C. Avery, having been filed on August 13, 2004; and defendant C&L having failed to answer or otherwise move with respect to the Complaint and the time therefore having expired;

NOW, on motion of Vladeck, Waldman, Elias & Engelhard, P.C., attorneys for the plaintiffs, by James I. Wasserman, Esq., it is

ORDERED, ADJUDGED AND DECREED, that plaintiffs Bricklayers Insurance and Welfare Fund, Bricklayers Pension Fund, Bricklayers Supplemental Annuity Fund, Bricklayers and Trowel Trades International Pension Fund, New York City and Long Island Joint Apprenticeship And Training Fund, and the International Masonry Institute ("Funds"), have judgment against defendant C&L only in the liquidated amount of \$20,885.00, which amount includes fringe benefit contributions due for the period of September 1, 2003 through November 30, 2003, and statutory damages, interest and costs for the period October 21, 2003 through October 11, 2004, and attorneys' fees for the period July 8, 2004 through September 29, 2004; and it is further

ORDERED, ADJUDGED AND DECREED, that plaintiffs Bricklayers Labor Management Relations Committee and Local 1 have judgment against defendant C&L only in the liquidated amount

of \$1,379.23, which amount includes contributions and dues for the period of September 1, 2003 through November 30, 2003 and interest from October 21, 2003 through October 11, 2004.

Dated: Brooklyn, New York
~~October 2004~~
July 12, 2005

So on hand.

N. G. Garaufis
United States District Judge